

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

KENNETH MOORE,

Plaintiff,

v.

COUNTY OF GLOUCESTER, et al.,

Defendants.

Civil Action
No. 10-5778 (JBS/KMW)

ORDER

Plaintiff Kenneth Moore brought this action under 42 U.S.C. §§ 1983 and 1988 alleging that Defendants County of Gloucester, County of Gloucester Department of Corrections, and Gloucester County Jail Warden John Senula violated his rights under the Eighth and Fourteenth Amendments to the United States Constitution while he was briefly detained due to outstanding traffic violations.

This matter comes before the Court on Magistrate Judge Karen M. Williams' Report and Recommendation [Docket Item 21] dismissing this case due to Plaintiff's failure to comply with her April 24, 2012 Order [Docket Item 17]. Plaintiff repeatedly failed to appear at status conferences and failed to respond to letters submitted via regular mail, Federal Express, priority overnight, and e-mail. Judge Williams recommended that Plaintiff's case should be dismissed pursuant to Fed. R. Civ. P. 16(f) because (1) Moore was personally responsible for his failures to appear or respond to correspondence; (2) Moore's

conduct caused prejudice to Defendants; (3) Moore's conduct showed a pattern of dilatoriness evidenced by, for example, his failure to appear at two court-ordered conferences and his repeated refusals to cooperate with the discovery process; (4) Moore's conduct was willful; (5) no alternative sanctions would be effective; and (6) Moore's failure to participate in the discovery process prevented the Court from weighing the meritoriousness of Plaintiff's claims.

Local Civil Rule 72.1(C) allows a party 14 days to file objections to a Magistrate Judge's Report and Recommendation. Plaintiff did not file any objections to the Report and Recommendation, although he has had more than 14 days to do so. The Court adopts the Report and Recommendation in full. Plaintiff's case will be dismissed with prejudice.

For the reasons stated herein and for good cause shown;

IT IS this 3rd day of December, 2012 hereby

ORDERED that Plaintiff Kenneth Moore's case is dismissed with prejudice.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
Chief U.S. District Judge